

**MINUTES  
ENOCH CITY COUNCIL  
May 19, 2021 at 6:00pm  
City Council Chambers  
City Offices, 900 E. Midvalley Road**

**Members present:**

Mayor Geoffrey Chesnut  
Council Member David Harris  
Council Member Jolene Lee  
Council Member West Harris  
Council Member Katherine Ross  
Council Member Shawn Stoor

**Staff present:**

Julie Watson, Recorder-Zoom  
Ashley Horton, Treas.  
J. Wayment, City Atty.  
Hayden White, PW Dir.  
Robert Dotson, City Mgr.  
Jackson Ames, PD Chief

**PUBLIC PRESENT:** Steve Woolsey, Robert Bromley, Debra Ley, Dan & Jane Roberts and Richard Service

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-By Mayor Chesnut at 6:00 pm.**
  - a. **Pledge of Allegiance-Led by Council Member Ross**
  - b. **Invocation-Audience invited to participate-Given by Council Member Stoor**
  - c. **Inspirational thought-Given by Council Member Ross**
  - d. **Approval of Agenda for May 19, 2021- Council Member David Harris made a motion. The motion was seconded by Council Member Ross and all voted in favor.**
  - e. **Approval of Minutes for May 5, 2021-Council Member David Harris made a motion. 2<sup>nd</sup> by Council Member Ross and all voted in favor.**
  - f. **Ratification of Expenditures-none**
  - g. **Conflict of Interest Declaration for this agenda-none stated**

2. **PUBLIC COMMENTS-none**

3. **PUBLIC HEARING ON THE 2021-2022 TENTATIVE BUDGET**

**Council Member David Harris made a motion to close the regular meeting and go to the public hearing. The motion was seconded by Council Member West Harris and all voted in favor.**

Mayor Chesnut invited comments. There were none.

**Council Member David Harris made a motion to close the public hearing and return to the regular meeting. The motion was seconded by Council Member Ross and all voted in favor**

4. **RESOLUTION NO. 2021-05-19 A RESOLUTION APPROVING THE TENTATIVE 2021-2022 BUDGET**

Mayor Chesnut asked Treasurer Ashley Horton about this. She said the City Council reviewed it in previous meetings and there is only one change to talk about since the last discussion. This does not require additional revenue. The change is in the PD and Chief Ames may be able explain this better. Chief Ames said our long-time shelter tech Sasha Turner was grandfathered in to receive vacations but no other benefits. He said due the need for a shelter manager we want to make her job a full time position. Chris does that now but we need another

person. Sasha currently gets 26 hours per week and we are going to bump her to 32 hours and make her full time. He said he moved things around so there is no increase in revenue needed to do this. We just hired a PT shelter tech and she has started and this is separate from that. It will be beneficial if Chris was to leave. We need to have someone who can do the shelter work and knows how to run it. The main thing is there is no financial impact. Ashley said again that is the only change we had.

**Council Member David Harris made a motion to approve Resolution No. 2021-05-19, a resolution approving the tentative 2021-20-22 budget. The motion was seconded by Council Member Lee and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**5. OPEN THE 2020-2021 CURRENT BUDGET-Treasurer Ashley Horton**

Mayor Chesnut asked Ashley about this item. She said she wants to discuss changes at the next meeting. It will be increasing revenue and expenses and we need to leave it open at least 30 days. All we are doing tonight is opening the budget so she can make adjustments where needed.

**Council Member David Harris made a motion to open the 2020-21 budget. The motion was seconded by Council Member Ross and all voted in favor.**

**6. ORDINANCE NO. 2021-05-19-A AN ORDINANCE TO CORRECT THE ADDRESS OF 4196 N. TRIPLE DEUCE CIRCLE TO 4206 N. TRIPLE DEUCE CIRCLE**

Mayor Chesnut asked City Manager Dotson about this. He said the owners brought this to our attention. When the commercial subdivision went in in 2007 the address was set but it was wrong and now we are correcting it. With the issuance of a building permit this came to our attention. This ordinance is the method to correct the County Plat Map and get the address right.

**Council Member David Harris made motion approve Ordinance No. 2021-05-19-A, an ordinance to correct the address of 4196 N Triple Deuce Circle to 4206 N. Triple Deuce Circle. The motion was seconded by Council Member West Harris and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**7. ORDINANCE NO. 2021-05-19-B AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH ZONING ORDINANCE ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 13.03 ACRES OF PROPERTY OWNED BY TAPIA CONSTRUCTION, PARCEL #A-0939-0001-0000, FROM MIXED RESIDENTIAL 2 (M-R-2) TO COMMUNITY COMMERCIAL (C-C)**

Mayor Chesnut said the Planning Commission held the public hearing on the zone change application. Council Member Ross said there were no comments from the public. City Manager Dotson said there was a minor subdivision done recently to sell off a portion of this property to StorRight Self Storage and that is zoned commercial. The portion remaining on Highway 91 owned by Tapia Constructions is still zoned M-R-2 and they are requesting it be rezoned to Community Commercial (C-C). Council Member David Harris said it is a perfect area for a commercial zone. There were no other comments.

**Council Member David Harris made motion to approve Ordinance No. 2021-05-19-B, an ordinance amending the General Plan Land Use Map and the Enoch Zoning Ordinance Zoning Map by changing the zoning of approximately 13.03 acres of property owned by Tapia Construction, Parcel #A-0939-0001-0000, from Mixed Residential 2 (M-R-2) to Community Commercial (C-C). The motion was seconded by Council Member West Harris and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**8. ORDINANCE NO. 2021-05-19-C AN ORDINANCE ANNEXING 17.75 ACRES OF LAND OWNED BY DAN & JANE ROBERTS AND JUDY LINDSAY, PARCEL #D-0626-0000-0000 AND #D-0626-0001-0000 INTO THE CORPORATE BOUNDARIES OF ENOCH CITY**

Mayor Chesnut asked City Manager Dotson for any comments. He had none saying all is in order. He noted this is located north of Willow Glen Inn, west of Pioneer Valley Estates and south of Cottonwood Subdivision. Bulldog Road is to the west. The owner is here tonight. This has been through the noticing process and is all ready to go. There were no comments from anyone who received notice or in the public hearing held in Planning Commission meeting. Waterlines are surrounding this property so connecting is easy. Sewer is on the north end. There are no issues with providing services. The Annexation Agreement is standard and they have it. Dan Roberts, the owner, said they want to be in-laws instead of out-laws.

**Council Member David Harris made motion to approve Ordinance No. 2021-05-19-C, an ordinance annexing 17.75 acres of land owned by Dan & Janes Roberts and Judy Lindsay, Parcel #D-0626-0000-0000 and #D-0626-0001-0000 into the corporate boundaries of Enoch City. The motion was seconded by Council Member Ross and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed unanimously</b>

**9. CONSIDER VACATING EASEMENT OWNED BY RANGE 16, LLC AND SET A PUBLIC HEARING FOR JUNE 2, 2021-Nathaniel Pugh**

Mayor Chesnut asked City Manager Dotson about this. City Manager Dotson said this property is coming up in the next item. In the past what happened was we obtained the right of way in the north part of Enoch to go from 5600 N. and north to the Animal Shelter and Dog Park. The owners of the west side gave a right-of-way on half of the road and the east side owners gave half of it and it was a bit off. At the same time we requested an easement across the section line for utilities in the future to loop water and bring water from the well sitting here but we don't own the well although we are talking to obtain it. We thought we owned it but we don't. This next item is for another minor subdivision and when Steve discusses this we will talk about a right-of-way so we need to vacate this easement and move things to a different place. City Manager Dotson explained now where things exist and where water is located and where it will go. There was brief discussion of where things are and that this was planned and Steve said he will explain it in the next item. Procedurally we need to do this first. Mayor Chesnut said we don't want to abandon something and then see what is coming next and then go back to this item. This was an incorrect conveyance to start with Steve said. It was supposed to go somewhere else. The map and the actual location are not the same. This is to clean it up Steve said. The person that conveyed it never owned it. Mayor Chesnut said lets circle back and go to next item and then

come back to set the public hearing. After the next discussion this item was revisited and a motion was made.

**Council Member David Harris made motion to set a public hearing for June 2, 2021. The motion was seconded by Council Member West Harris and all voted in favor.**

**10. CONSIDER A MINOR SUBDIVISION FOR RANGE 16, LLC-Woolsey Land Surveying**

**Steve Woolsey of Woolsey Land Surveying said he has two item on agenda tonight.**

Steve said this is a minor subdivision for Range 16, LLC in the vicinity we were just talking about. It is 55 acres splitting into 4 parcels. He showed the easement was supposed to go here and it is in the middle of Parcel two (2). It was incorrectly conveyed so is no good to anyone. This is also that piece of property Council Member Lee referenced and City Manager Dotson is in contact with landowner. He gave more details about easements and planned roads that will be dedicated in the future. He explained a minor subdivision done last month with the same owner and this is cleaning it all up and making it harmonious. The easement noted above will be no longer be needed and we can put in the real road and go to the existing well and it will all work out. This is not the time to give the easement for the roads. It will come when it is needed. Council Member West Harris asked why they don't do it now. Steve said the new buyer of a parcel will be required to give the easement. The General Plan Land Use Map denotes this. The road is already there and we will make some adjustments. There was more discussion and explanation of how easements and roadway dedications work and the time frame for the City and the owner. City Manager Dotson said we can't require it right now but a public right-of-way is there now. The process says we require the road and they have to match our General Plan roadways and convey the right-of-way for the road in due course. Mayor Chesnut said this is two part cleanup now and sometime in the future we will clean up things that happened a long time ago. The law is sufficient but unanticipated things have happened since. Council Member Lee said if he complies with the law we should approve it because the Planning Commission sent it with a favorable recommendation per State Code. City Manager Dotson said you can't put exceptions on things that are not written in the law. Council Member David Harris agreed and said we put planned roads on the map and this is on our map. We are protective of those things, he added. Steve said the landowner is on board with all of the regulations and he is allowed to do this as written. He knows the road will be there and has had lengthy discussions with City Manager Dotson.

Mayor Chesnut said if the Council is concerned and we need to revisit minor lots regarding large minor subdivisions that could possibly be re-divided by new owners we have none of that on the books. Things have changed since so much new growth has happened. When there is an exception if it cuts through a master planned road there needs to be something about that. Mayor Chesnut said perhaps we need to look at this to define exceptions. This road is very important to us and we could do more to require things about roads.

**Council Member David Harris made a motion to approve the Minor Subdivision for Range 16 LLC. The motion was seconded by Council Member West Harris and all voted in favor.**

**11. CONSIDER A MINOR SUBDIVISION FOR ENOCH CITY, PARCEL #A-0962-0001-0000-Woolsey Land Surveying**

Steve said this is for Enoch City by the Animal Shelter which Martin Tyner came to the Council about. He would like to build the Southwest Wildlife Foundation of Utah facility there. He has the funding to build his bird refuge, sanctuary and education center. Enoch is willing to lease parcel two. The City will lease that to the foundation for his facility. Council Member Lee asked is their access comes off of Bark Ave and if the property owners are aware of that. She

said they could petition UDOT for access out to SR-130 although she has heard UDOT won't give access permits as this time. Steve said some things have historical access and they may later after the roundabout is built and slows things down. Martin knows that is the case. There was more discussion of roads and plans to get a road through to SR-130 at some time in the future. The owners are claiming it is a private road and we have been physically threatened. Steve explained Tilton Johnson owns to the section line and there is a little gap there referring to it is a "no man's land" right now. City Manager Dotson said we are in conversation with the owners and it will take some time. There was more discussion of where Enoch could develop a road. City Manager Dotson said the only access approved by UDOT is where they say it is. It won't work now. Steve said because this is a leased parcel if we do need an access easement going through parcel 1 we can do that because we own it. Steve said he still has to create the deeds for this action. You don't need a dedication on what you own. We are leasing it for 99 years and we should reserve the right to put in roads and what needs to be done. We do reserve the right to make improvements to the property. Mayor Chesnut said we can put it in the lease.

**Council Member David Harris made a motion to approve the Minor Subdivision for the lease of the parcel for the Southwest Wildlife Foundation of Utah facility. The motion was seconded by Council Member West Harris and all voted in favor.**

**12. ORDINANCE NO. 2021-05-19-D AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 12-2802-DESIGN STANDARDS (C) STREET STANDARDS**

Mayor Chesnut asked City Manager Dotson about this item. Council Member Ross said it came from Planning Commission and has a cautiously favorable recommendation. There were some comments from someone. City Manager Dotson said the person who commented by phone could not come to the public hearing so he conveyed the message to the Planning Commission. This person thought we should have curb, gutter and sidewalk everywhere anytime there is a change such as a plat amendment or anything. There are issues with that as nothing would line up properly for drainage and would be piecemeal everywhere. Some developments are more rural such as horse property with larger lots and developers who want the rural atmosphere that doesn't include curb, gutter and sidewalks. They are required in our ordinance to work out drainage issues in other ways.

City Manager Dotson said this has been a conversation for years. He pointed out the cross outs in the document and he went through them. City Manager Dotson said this is so if someone has a PUD overlay with a rural feel they could put something in there to not have this required where lots are one acre or more. Council Member Ross said the Planning Commission was concerned about it being spotty here and there with drainage issues from not lining up. Piecemeal does not work. Council Member West Harris said the same thing. You have to do it everywhere or not. It can't be spotty. City Manager Dotson discussed where it works and where it doesn't. It was asked if this allows for required and not requested. If a developer doesn't want curb and gutter the developer has to settle that with other drainage designing.

There was more discussion of road grades and how this would work or not in different areas. Mayor Chesnut asked if we need something about contiguous lots adjacent to curb and gutter. There was considerable discussion and examples given. It is an engineering solution and we require major subdivisions to engineer their drainage one way or another to keep storm water off of lower areas. Mayor Chesnut said do we put a provision in this that if it doesn't exist somewhere else you don't need to do it. No exceptions would mean going to a larger lot area where it is not required such as R-R 1 if they don't want curb and gutter. We have that in existing R-R-1 zones now. Council Member Stoor said curb and gutter is the best way to manage storm water. Is it sufficient, Mayor Chesnut asked, that developers know they have to do the engineering? Council Member David Harris said if they come for a zone change we evaluate that.

City Manager Dotson explained storm flows and what the terms mean. Council Member Ross said we do not like exceptions. Who decides what “rural atmosphere” means? The Planning Commission took that wording out.

Mayor Chesnut said there are still concerns and there may be some reservations. He added we don’t have to pass this tonight. Council Member Lee said the main issue is we want to allow for larger lot sizes where they don’t have curb and gutter. That is all it said. City Manager Dotson said we do have applications coming in that want larger lots with no curb and gutter. You can have horse property and still have curb and gutter, Council Member Stoor said. It is cleaner and easier to maintain. Council Member David Harris said is should be up to the developer if they don’t want it on larger lots for the look of it and the expense of the longer roadways between homes. Council Member David Harris said with a P-D overlay they could do that. Take exception B out. Mayor Chesnut said the Planning Commission was trying to address exceptions but took out “rural atmosphere” due to not being able to define it. Council Member David Harris suggested putting in P-D overlay. Design elements need to be considered and be judged on their own merits. Council Member Ross pointed out again the cost of curb and gutter in large lot areas. Pass it striking the exceptions to allow it in the larger lot areas. There will be not be many small residential zones next to five acre horse property. Mayor Chesnut asked for a motion.

**Council Member David Harris made a motion to approve Ordinance No. 2021-05-21-D, an ordinance amending the Enoch City Zoning Ordinance, Chapter 12-2802-Design Standards & C Street Standards with striking exception “b” and rural atmosphere in exception “a” and leave P-D overlay. The motion was seconded by Council Member West Harris and a roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-No</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed</b>

**13. CONSIDER THE PRELIMINARY PLAT OF POWER DRIVEN INDUSTRIAL PARK, PARCEL #A-1006-0000-0000-Platt & Platt Eng.**

Mayor Chesnut asked City Manager Dotson because the engineer was not in attendance. Council Member Ross said the Planning Commission sent this with a favorable recommendation. It meets all requirements and will be an Industrial Park area. This is west of SR-130 and City Manager Dotson showed it on the map. It is very large with a lot of the acreage being left undeveloped. To handle the sewer issue each business that moves into the Industrial Park will have to have a grinder pump installed at their cost and their maintenance because this is north of our outfall line. The grinder pumps will take sewage to the line as this is not gravity feed. This will be one pressurized line and the engineers worked it out. It will work and our City Engineer agreed. There will be required backflow preventers also. City Attorney Justin Wayment questioned that concept. He thought it was a lot to expect for this to work. He knows of a failure he gave an example of and how it grew and then it ceased to work with more coming on to the line. He gave details saying make it clear that it is their problem and the City has nothing to do with it. They have to fix it if it fails. Not the City. The problem is pressurizing it and if anything fails, it all breaks down. He said it is far cheaper to put in a pump station. It was noted the developer doesn’t want to do that. They should all buy into it to avoid problems for all in the development.

Mayor Chesnut asked if approval of the preliminary plat does not have to do with all that at this time, does it. Council Member Ross said that was in the explanation. City Attorney Wayment said make sure the City has nothing to do with any of this if it fails. They stay on their own line and we never connect anywhere else. They have to maintain their own t-line. Mayor Chesnut confirmed that will be included. City Manager Dotson said we don’t have to accept their system. We won’t take a dedication for sure. We can say no. City Manager Dotson said that is the

contingency for the final plat and it should be in the motion to make it clear. We can move tonight with that contingency and only if they do it that way. They have to use our engineering details, City Manager Dotson said. They proposed this as a way to do it. It is on private property City Attorney Wayment said and it is theirs and they comply with our standards.

**Council Member David Harris made a motion to approve the Preliminary Plat of Power Driven Industrial park with provisions that their sewer is their property and their responsibility and the City takes no responsibility or management of it. It is a private system. The motion was seconded by Council Member Ross and all voted in favor.**

**14. COUNCIL/STAFF REPORTS-**

Hayden White said we have about three weeks left on testing on the new well hooking on. They keep coming with questions. He gave details for all the issues with the requirements. The crew is asphalt patching and sinkholes are showing up in places. Streets are sinking and being filed with road base. The tanks are running on two pumps which is great. In April we were running on four pumps. Council Member Ross said 4-H could help with door hangers for the odd and even watering days.

Chief Ames reported last Saturday was the Open House with law enforcement and he gave details of that and the public interaction. It is business as usual for the PD. They hired a new girl at the shelter and that is good so far. Renee is her name.

Mayor Chesnut had no comments but said we need a closed meeting for a real estate discussion.

Council Member Ross said 4-H is really excited and will help with door hangers or any projects.

Council Member Lee reported there is a lot of roundabout land moving and it seems bigger than we pictured. It seems to be taking a lot of time to move utilities. City Manager Dotson said traffic is the biggest deal slowing them down. They will be detouring for a week and City Manager Dotson told about the letter to Churchfield Lane residents who will be affected. Now the west side will go down Millard Lane to get past the work area.

Council Member Stoor reported on the RDI system and the dog park issues. No conclusions yet.

City Manager Dotson reported the public safety theme for the North Fire Station. The impact fee is in the study and may happen. We are closer to a vision of what it would look like for Enoch and should be part of the scope. Mayor Chesnut asked for a consensus from the Council. The irrigation easement on the west side of school district is the west side of Eagle Valley Estates and they have to have access to that pipeline. The School Board approved that.

**15. CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING: THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLY IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR WATER SHARES; DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS; INVESTIGATIVE PROCEEDINGS REGARDING ALLEGATIONS OF CRIMINAL MISCONDUCT.**


(Requires a roll call vote with 2/3 majority)

**Council Member David Harris made a motion to close the regular meeting and go to a closed meeting for discussion of a real estate issue. The motion was seconded by Council Member Ross and roll call vote was held as follows:**

<b>Council Member David Harris-Yes</b>	<b>Council Member Stoor-Yes</b>
<b>Council Member Ross-Yes</b>	<b>Council Member West Harris-Yes</b>
<b>Council Member Lee-Yes</b>	<b>Motion passed</b>

**16. ACTION FROM CLOSED MEETING-Continue property acquisition negotiations.**

**17. ADJOURN-The regular meeting ended at 8:15pm.**

 6-2-21

**Julie Watson, Recorder**

**Date**

**Meeting ID: 826 7664 8726**